S.B.CRIMINAL MISC. BAIL APPLICATION NO.2085/2007

(Fateh Singh & Anr. vs. State of Rajasthan)

DATE OF ORDER : July 10, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Ravi Bhansali, for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor for State.

Heard learned counsel for the petitioners as well as the Public Prosecutor for the State. Perused the order impugned.

It is contended by the learned counsel for the petitioners that if at all there is a case, it is against Bhanwar Singh, in whose favour, the mutation has been recorded showing adopted son of Hamer Singh. It is further contended that the mutation has been challenged by the complainant by way of appeal before the ADM.

Having considered the totality of facts and circumstances of the case and the fact that the controversy is pending before the Revenue Authority, without expressing any opinion on merit, I consider it just and proper to grant anticipatory bail to the petitioners.

Accordingly, it is directed that in the event of arrest of

petitioners Fateh Singh s/o Naval Singh Rajput and Udai Singh s/o Naval Singh in FIR No.27/2007, P.S. Rajnagar, Distt. Rajsamand, they shall be released on bail for a period till the police concludes the investigation and files the challan provided each of them furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount each to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

The petitioners shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-